



Water Permits Division e-Newsletter

OCTOBER 29, 2012

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A SUMMARY OF WATER PERMITTING NEWS & EVENTS

VOLUME 5, ISSUE 3

JULY—SEPTEMBER 2012

PERMITS ISSUED

7/1/12—9/30/12

Individual Minors	48
Individual Majors	19
Sewage Sludge & Biosolids Use or Disposal	76

GENERAL PERMITS

Cement, Concrete & Asphalt	1
Dewater PST	0
Oil & Gas Exploration—Territorial	0
Oil & Gas Exploration—Coastal	9
Potable Water	0
Auto Dealer	11
Light Commercial	28
Sand & Gravel	6
Class I Sanitary	140
Class II Sanitary	19
Class III Sanitary	4
Class IV Sanitary	6
Hydrostatic Test	6
Exterior Vehicle Wash	8
C&D Landfill	0
Petroleum UST	2
Groundwater	0
Multi-Sector	28
Large Construction	168

% CURRENT

MAJORS	94.9
MINORS/GENERALS	99.4

WATER QUALITY CERTIFICATIONS

ISSUED	74
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TMDL PACE ACTIVITIES

Modeling efforts — ongoing

ASSESSMENTS

Data Sets Evaluated	199
Solicitation of Views Letters Reviewed	77

Water Permits Division (WPD) Newsletter

DEQ Water Permits Division publishes this quarterly newsletter to provide the regulated community, citizens, and other interested parties with updates and information relevant to water permitting, water quality modeling/TMDLs, water quality certifications, sewage sludge and biosolids permitting, and water quality standards and assessments activities. We welcome and solicit your comments, recommendations, and input. Please contact Yvonne Baker at 225-219-3193 or Melvin Mitchell at 225-219-3197.

Water Permits Division Staff Update

Ms. Heather Ballard and Mr. Blake Perkins were hired and assigned to the Water Quality Section. Mr. Tom Killeen was promoted to Administrator of the LDEQ Inspections Division, Office of Environmental Compliance. Ms. Kris Pintado retired from DEQ in September 2012. We all express thanks to them and wish them good luck.

WPD Exceeded PPG Commitments

During the FY 2012 grant year, the division committed to issuing 31 major permits, 196 minor permits and 19 priority permits. The division issued 32 major permits, 203 minor permits, and 42 priority permits exceeding the Performance Partnership Grant commitments for FY 2012. This is, by far, the highest rate in EPA Region 6 and one of the highest rates nationwide. For FY 2012, DEQ has the highest percentage of major and minor permit renewals within EPA Region 6. Currently, the division is at 100 percent attainment of EPA's annual goal for processing major, minor, and general permits combined, which is higher than any other state in the region, higher than the national commitment, and higher than the overall regional average.

DEQ Receives EPA FEIS Grants

EPA is providing DEQ with \$20K in technical support to help identify stakeholders and small businesses in Louisiana potentially affected by implementation of nutrient standards. The information is needed as part of the Fiscal and Economic Impact Statement (FEIS) required by Louisiana statutes (R.S. 49:953 and 965.2-965.8) in the rule-making process. EPA is also providing DEQ with \$281K in grant funding to support development of the FEIS cost estimates and forms, the Regulatory Flexibility for Small Business Economic Impact Statement and Regulatory Flexibility Analysis documents, the technical support and guidance documents that outline processes and resources used in development of the two, and briefing and outreach materials to help explain the cost and benefit assessment processes to the identified stakeholders. Since 2008, Louisiana is one of few states required to prepare an economic impact statement and flexibility analysis that addresses small businesses before adopting laws that may affect them. The regulations define a small business as domiciled in Louisiana, employing 100 or fewer full-time employees, and gross annual sales less than \$10 million or total net worth of less than \$2 million. For more information contact Tara Nixon at 225-219-3189.

Hurricane Isaac Efforts

The WPD operated the Phone Bank Task Force from Aug. 27, 2012 until Sept. 26, 2012 for Hurricane Isaac preparations and recovery. Over 2000 facilities in affected parishes were contacted prior to Hurricane Isaac to update emergency contact information and to disseminate information regarding emergency preparations. Over 1500 facilities were contacted after Hurricane Isaac made landfall in order to assess damages at the facilities. Staff from the APD and PPPSD also assisted in the Phone Bank Task Force. In order to operate the Phone Bank, Fifty-six staff members were trained on the installation and use of EPA's Response Manager database. Response Manager was used to document facility assessments.

LAG260000 Issuance Update

On June 10, 2011, Louisiana Court of Appeal, First Circuit remanded the oil and gas territorial seas general permit LAG260000 to DEQ. As a result of the remand, DEQ has determined that it is necessary to modify the general permit to remove the outfall for produced water. Facilities wishing to discharge produced water were asked to apply for coverage under an individual permit (Oil & Gas-IND (O&G-IND)) by April 1, 2012. To date, twenty-one (21) O&G-IND permit applications have been received. Authorization to discharge produced water in the territorial seas will require participation in an evaluation of the effects of produced water discharges on the environment and human health. Two stakeholder meetings were held (Feb. 23, 2012 and July 19, 2012) to accept input regarding the revised minimum study requirements, protocols for an evaluation of the effects of produced water discharges on the environment and human health, and to discuss the timeline for issuance of the first individual LPDES permit. The first individual permit, Breton Sound 53 Production Facility (AI 32659), was sent out as a draft permit shortly thereafter and was public noticed in local papers statewide. Public notice comment period ended October 15, 2012. Final Permit Decision will depend on the type and number of comments received during the comment period. Questions may be directed to Melvin C. Mitchell at 225-219-3197, Bruce Fielding at 225-219-3231, or Jenniffer Sheppard at 225-219-3499.

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106 Supplemental Grants

The Clean Water Act provides DEQ with supplemental grant funds through Section 106 of the Act to help address a variety of water quality problems. WtPD Water Quality Section personnel have recently completed activities funded under the FY10 Permits and Enforcement grant. Work completed under the FY10 Permits and Enforcement Grant included testing and development of a custom e-signature service for water permits online submittals and of a new version of the Oil & Gas Coastal online application submittal. Work completed for more recent Section 106 supplemental monitoring funds for FY10 and FY11 have been equipment and supply purchases and collection of macroinvertebrate and periphyton samples in Louisiana ecoregions to support nutrient criteria development. The FY12-FY13 monitoring grant funds have been partially awarded; work completed under this grant includes data collection in the Lower Mississippi River Alluvial Plains (LMRAP) ecoregion to support dissolved oxygen criteria refinement as well as to inform minerals criteria development. For more information contact Tara Nixon at 225-219-3189.

Biosolids Workshop

DEQ and EPA Region VI hosted a workshop on 40 CFR Part 503, Standards for the Use or Disposal of Sewage Sludge. The workshop was held on Wednesday, September 5, 2012, 8AM-12PM at DEQ Headquarters. This workshop included an overview of the Part 503 regulations; Part 503 Compliance, Inspection, and Reporting; an overview of the DEQ Biosolids Program and other NPDES/LPDES issues. Owners/operators of facilities subject to the requirements of 40 CFR Part 503 attended the EPA workshop. Wastewater treatment operator continuing education credits were awarded to qualifying participants. If you would like more information please contact Ted Palit, EPA Region 6 Water Enforcement Branch, 214-665-8061 or Eura DeHart, DEQ Water Permits, 225-219-3213.

Nutrient Gradient Project Update

DEQ Surveys, Standards and Permits personnel continued monthly water quality sampling for the Nutrient Gradient Project. The comprehensive water quality characterization study to evaluate potential relationships between levels of nutrients and their effects on aquatic life is supported with grant funding from EPA. Water quality sampling of the sixty sites selected across Louisiana began in December 2011 and will be completed by the end of October 2012. Water quality sampling will resume in June 2013 and continue through October or November 2013. Sampling and surveying of ambient water quality parameters, fish, macroinvertebrates, algae and habitat are being conducted. DEQ also continued tracking and evaluating field and laboratory data. Data analysis results will be used to inform DEQ's nutrient management strategy efforts. Contact Steph Braden at 225-219-3187 for further information.

Sewage Sludge Haulers and Disposal Sites

WPD has registered 257 sewage sludge transporters for 2012-2013. The 2011-2012 registrations expired on June 30, 2012. Renewal registration forms for 2012-2013 were due by May 1, 2012. WPD has approved 74 facilities for receipt of sewage sludge for treatment and/or disposal. A list of all approved sewage sludge treatment and/or disposal facilities and a list of all approved sewage sludge transporters is posted on the DEQ Sewage Sludge/Biosolids Internet site <http://www.deq.louisiana.gov/portal/DIVISIONS/WaterPermits/Biosolids.aspx>. Both lists will be updated every 60 days. For more information contact Eura DeHart at 225-219-3213 or Yvonne Baker at 225-219-3193.

General Permit Update

LAG030000—The public comment period for the Draft Permit for the issuance of Master General Permit for Vessel Cleaning and Repair and Shipyards ends on November 15, 2012. For more information contact Angela Marse at 225-219-4054.

LAG530000—The public comment period for the Draft Permit for the reissuance of Master General Permit for Sanitary discharges totaling less than 5,000 gallons per day ended on August 9, 2012. No comments from the public were received. The final permit was issued October 3, 2012; effective December 1, 2012. For more information contact Rachel Davis at 225-219-3515.

LAG670000—The public comment period for the Draft Permit for the reissuance of Master General Permit for Discharges of Hydrostatic Test Wastewater ended on October 15, 2012. No comments from the public were received. The final permit was issued October 17, 2012; effective February 1, 2013. For more information contact Yvonne Baker at 225-219-3193.

LAG830000—The public comment period for the Draft Permit for the reissuance of Master General Permit for Discharges resulting from Cleanup of Petroleum UST Systems ended on October 15, 2012. No comments from the public were received. The final permit was issued October 17, 2012; effective December 15, 2012. For more information contact Kim Cortis at 225-219-3208.

LAR200000—The public comment period for the Draft Permit for the reissuance of Master General Permit for Storm Water Discharges from Small Construction Activities (equal to or greater than one acre but less than five acres) ended on October 24, 2012. No comments from the public were received. For more information contact Kim Cortis at 225-219-3208.

EPA Biosolids Inspections

On Sept 27 and 28, 2012 representatives from EPA, Region VI, conducted inspections at the DEQ Biosolids facilities in Morgan City, Walker, and Denham Springs. EPA Inspectors were accompanied by representatives from the DEQ. The purpose of the inspections is to ensure those facilities are in compliance with the EPA Region VI Biosolids Program which is regulated in accordance with the EPA National Standards for the Use or Disposal of Sewage Sludge in the federal regulations. Additional, unannounced inspections may be conducted in the future in order to ensure that those facilities are in full compliance with EPA permits.

Antidegradation

In July, LDEQ proposed minor changes to the antidegradation water quality regulations. At the end of the public comment period on September 17, 2012, the department received 15 comments from four commenters. The department is in the process of reviewing and responding to the comments. If possible, LDEQ will reach a final decision on the update to the applicable regulations by the end of 2012. For more information contact Sandy Stephens at 225-219-3218.

Contact Information Update

The WPD is working to update all permittee contact information, including contact name, mailing address, email address, and phone number in our permit database. The updated information will streamline the process to contact permittees in case of emergency. To update your contact information, please send an email to the PPPSD at facupdate@la.gov. Please be sure to include your facility's agency interest (AI) and permit numbers.